

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	CR. NO. 08-00265-CG
)	
PATRICK RAY EATMON,)	
)	
Defendant.)	

ORDER

This matter came on for a hearing on November 9, 2009 on the defendant's motion to determine conflict (Doc. 43). Present at the hearing were the defendant, defense counsel Paul D. Brown, and Assistant U.S. Attorney George F. May. After hearing the arguments of counsel, and after ascertaining that the defendant waived any conflict, the court finds that there is no actual conflict unless either Mr. Eatmon or Mr. Richard Crowley are called to testify against one another; therefore, the motion is deemed to be **MOOT** at this time. To the extent that there is a potential conflict, the court finds Mr. Eatmon's waiver to be a knowing and voluntary waiver, and will permit Mr. Brown to continue to represent Mr. Eatmon.

Upon consideration of the defendant's oral motion for a brief continuance of the sentencing hearing, the motion is **GRANTED**, and sentencing is hereby **RESCHEDULED** to **Friday, November 20, 2009 at 9:30 a.m.**, to be held in Courtroom 2B, United States Courthouse, Mobile, Alabama. The U. S. Marshal is **ORDERED** to produce the defendant for the sentencing.

DONE and ORDERED this 9th day of November, 2009.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE